IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

Crl.Rev.Pet.No. 4001 of 2007()

CRA.156/2003 of 156 OF 2003 OF ADDL. SESSIONS JUDGE (AD HOC II) KASARAGOD

CC.26/2001 of JUDL. MAGISTRATE OF FIRST CLASS, KASARAGOD

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REVN. PETITIONER:

B.SATHEESHA, PIGMY COLLECTOR,
SYNDICATE BANK, BADIADKA BRANCH, PERDALA P.O., KASARAGOD

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS:

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1. SANTHA KUMAR,K.
   S/O. PUTTAPPA, SHAMAN NILAYA, BADIADKA, KASARAGOD

2. STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR
   HIGH COURT OF KERALA

BY ADV. SRI.M.PRADEEP RAO
PUBLIC PROSECUTOR SRI. C.M. NAZAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 7-11-2007 , THE COURT ON 07/11/2007 PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.4001 of 2007

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Dated: 07-11-2007

ORDER

The accused in C.C. No. 26 of 2001 on th**e file** of the J.F.C.M, Kasaragod for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 11750 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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